

#### REMARKS

Applicant is submitting this reissue to cure errors in the specification, claims and drawings that render the patent wholly inoperative. Errors relating to the specification and drawings are described below. With regard to the original claims, the original patent attorney failed to appreciate the full scope of the applicant's invention. As a result, the original claims are unduly limiting resulting in these claims being wholly inoperative. This reissue adds new claims that are broader in scope than the original claims.

The Applicant is submitting herewith an Information Disclosure Statement which discloses that the only prior patents of which applicant is aware are the prior patents (cited references) already of record in the original patent application.

Applicant is amending the specification to cure several errors that render the specification wholly inoperative. Applicant also wishes to make certain changes to Figures 1 and 3 to cure several errors that render these drawings wholly inoperative. The original specification uses the reference number "40" to refer to two different items: a set of dice and an area on playing board 10. Therefore, the specification is being amended at column 10, line 24 to replace "40" with "41" so

that the area in question on playing board 10 is referred to by new reference numeral "41". Thus, Applicant has proposed changing Figure 1 to replace reference number "40" with reference number "41". A proposed drawing correction of Figure 1 with proposed changes in red ink is attached hereto. The specification is also being amended at column 10, line 66 to replace "five" with "six". This error was an obvious mistake since playing board 10 has been described in the specification as indicating the poker hand "six of a kind" (see column 9, line 28, and column 11, lines 39-40). The specification is also being amended to add the sentence "The second area 42 is indicative of straight bets". The omission of this sentence (or comparable description) is an obvious mistake since the playing board 10 has been described in the specification as indicating the poker hand "straight" (see column 9, line 28, and column 11, lines 46). Applicant is also proposing to change Figure 3 to include the indicia "6 Of A Kind", "Straight" and "Any 3 Pair" in order to make this drawing correctly correspond to the description in the specification at column 12, lines 16, 27, and 37 and claimed in original claim 1. A proposed drawing correction of Figure 3 with proposed changes in red ink is attached hereto.

The specification is also being amended to cure a spelling

error in column 10, line 14 wherein the misspelled term "discemable" is being replaced by "discernible". The Applicant is also amending the instant specification to cure other obvious errors to enhance readability. Specifically, in column 8, line 33, the specification is being amended to add the words "sets of three". Also, in column 8, line 34, the specification is being amended to delete the term "two". Furthermore, in column 8, line 40, the specification is being amended to delete the term "two".

The Applicant is now adding new claims 7-36 which include independent claims 7, 27 and 28. The section of this amendment entitled "Status of Claims and Support for New Claims" explains where support for these new claims can be found in the reissue specification.

As stated in the instant specification at column 7, lines 43-47, "[t]he present invention solves the problems presented in the prior art by providing a novel method and apparatus for playing a dice game of chance which uniquely combines features of roulette, poker, craps and progressive slot machines." None of the prior art references of record disclose, teach or suggest the particular combination of method steps recited in new claims 7 and 27. Thus, Applicant submits that independent claims 7 and 27 are patentable over the prior art of record. Applicant

submits that dependent claims 8-26 are also patentable as they are dependent, either directly or indirectly, from independent claim 7.

New independent claim 28 is directed to playing the wagering game of the present invention with a lottery scratch ticket. Applicant submits that the lottery scratch ticket element of claim 28 is inherently disclosed in the instant specification. Applicant further submits that one skilled in the art, reading the specification, would identify the subject matter of new claim 28 as invented and inherently disclosed in the instant specification. Furthermore, Applicant submits that it was well known in the gaming industry at the time the instant application was filed that most wagering games (i.e. card games, slot games, etc.) can be easily implemented with a lottery scratch ticket. For the same reasons mentioned above, Applicant submits that method of playing a wagering game recited in claim 28 is patentable over the cited references on record. For the same reasons, Applicant submits that dependent claims 29-36 are also patentable over the cited references on record.

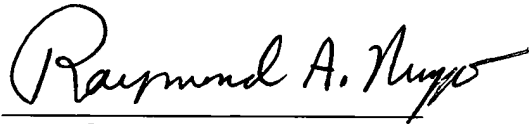
Thus, Applicant submits that new claims 7-36 are patentable over the cited references of record and should be allowable.

Applicant will surrender the original patent upon the issuance of a Notice of Allowance for this reissue application.

The Examiner is urged to call the undersigned at 203-467-7895 for a telephone conference if the Examiner believes there are outstanding issues regarding this reissue.

Respectfully submitted,

October 20, 2003

By:   
Raymond A. Nuzzo  
Attorney of Record  
Reg. No. 37,199